

## REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-10, 24-33, 49-52, 65, 67-73, 75-80, 82-84, and 86-91 are currently pending in this application. Claims 66, 74, 78, 81, and 85 have been canceled without prejudice. Claims 87-91 have been added and claims 1, 24, and 49 have been amended. Support for claims 89-91 may be found at least in paragraph 46 on page 23 of the application as originally filed.

### Objections to the Claims

The Examiner objected to claims 78 and 85 as containing informalities. Applicant has canceled the duplicate claims 78 and 85 and placed the subject matter of the duplicate claims in new claims 87 and 88. Applicant respectfully requests that the Examiner withdraw the objection.

### Claim Rejections - 35 U.S.C. §103

Claims 1-10, 24-33, 49-52 and 65-86 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amin (U.S. Patent 7,171,221) in view of Shaffer (U.S. Patent 6,477,374). Applicant does not admit that Amin is prior art and reserves the right to challenge the reference at a later date.

Amin teaches tracking proximity between two phones and transferring calls between the two phones based on their proximity.

Shaffer teaches routing calls to various phones based on data stored in a calendar.

Claim 1, as amended, recites a handset configuring circuit coupled to the control circuit, the control circuit causing the handset configuring circuit to automatically use the first phone as a cordless handset for the second phone according to the change in whether or not the first phone and the second phone are positioned with respect to each other according to the relation.

Claim 89 further clarifies the device of claim 1, by claiming that automatically using the first phone as a cordless handset for the second phone comprises using the first phone to answer and place calls using a phone line coupled to the second phone while the first phone is being used as the cordless handset for the second phone.

On page 8 of the Office Action, the Examiner takes the position that Amin teaches using the first phone as cordless handset for the second phone according to the change in whether or not the first phone and the second phone are positioned with respect to each other according to the relation. The Examiner refers to column 4, lines 5-15 of Amin. However, the cited passage merely states that the designation "first telephone" may refer to a portable wireless telephone or a telephone with a predetermined fixed relationship, and that the designation "second telephone" may also refer to a portable wireless telephone or a telephone with a predetermined fixed relationship. The passage says nothing about modifying the function of a telephone, but simply attempts

to broaden the language used in the description of Amin. Thus, Amin does not teach the claimed limitation. Shaffer also fails to teach or suggest the claimed limitation. Accordingly, claim 1, as amended, is patentable over the combination of Amin and Shaffer.

Claims 24 and 49, as amended, recite automatically using the first phone as a cordless handset for the second phone while the first phone and the second phone are positioned in the close relation with respect to each other. Therefore, claims 24 and 49 are patentable over the combination of Amin and Shaffer for similar reasons to those stated above with regard to claim 1.

In light of the foregoing arguments Applicant respectfully submits that claims 1-10, 24-33, 49-52, 65, 67-73, 75-80, 82-84, and 86-91 are patentable over the combination of Amin and Shaffer, and respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. § 103(a).

SUMMARY

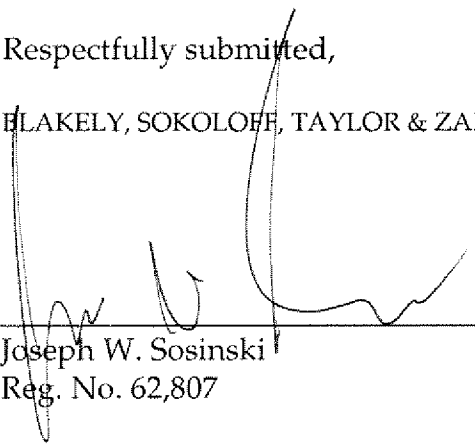
Applicant respectfully submits that in view of the amendments and arguments set forth herein, the applicable rejections have been overcome and the claims are in condition for allowance.

Please charge any shortages and credit any overcharges to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: December 24, 2008



Joseph W. Sosinski  
Reg. No. 62,807

1279 Oakmead Parkway  
Sunnyvale, CA 94085-4040  
(408) 720-8300